1	SHELLA DEEN (SBN 149735)	
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6	NANCY L. McCULLOUGH (SBN 164169)	
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8	10250 Constellation Avenue, Suite 100 Los Angeles, CA 90048	
9	Telephone: (323) 931-0267	
10	Facsimile: (323) 931-0268	
11	Attorneys for Plaintiff BRUCE THOMAS VEST III	
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14	UNITED STATES D	
15	NORTHERN DISTRIC	CT OF CALIFORNIA
16		
17	BRUCE THOMAS VEST III, an individual,	Case No.: C19-7446-EJD
18	Plaintiff,	
19	v.	STIPULATION AND [PROPOSED] ORDER CONTINUING DATE OF
		INITIAL CASE MANAGEMENT
20 21	SYMMETRIC LABS, INC., a Delaware corporation, and ALEXANDER GREEN, an individual.	CONFERENCE
22	marviduai.	Judge: Hon. Edward J. Davila Courtroom: 4 (Fifth Floor)
23		Date: March 5, 2020 Time: 10:00 A.M.
24	Defendants.	Trial Date: [None Set]
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1	Pursuant to Civil Local Rules 6-2(a) and 7-12, Plaintiff Bruce Thomas Vest III and		
2	Defendant Alexander Green, through their respective representatives (as more specifically set		
3	forth in the Declaration of Nancy L. McCullough filed concurrently herewith) have agreed and		
4	hereby stipulate to continue the Initial Case Management Conference in this Action, presently set		
5	for Thursday, March 5, 2020 at 10:00 a.m. in Courtroom 5, Fifth Floor of the San Jose		
6	Division , for a period of at least two (2) weeks therefrom, or to such later date as the Court may		
7	order, and that all parties may appear telephonically at such Initial Case Management Conference.		
8	Therefore, this Stipulation and [Proposed] Order is hereby respectfully submitted to		
9	request that the Court so continue the Initial Case Management Conference to not sooner than		
10	Thursday, March 19, 2020, with commensurate continuance of all related dates.		
11			
12	DATED: FEBRUARY 12, 2020 LAW OFFICES OF NANCY L. McCULLOUGH		
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14	By: Many 2. McCollengt		
15	Nancy L. McCullough		
16	Attorney for Plaintiff Bruce Thomas Vest		
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1	PROPOSED ORDER		
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3	PURSUANT TO THE STIPULATION OF THE PARTIES, IT IS SO ORDERED that		
4	the March 5, 2020 Initial Case Management Conference is hereby vacated and continued to		
5	March 26, 2020, at 10:00 a.m., and that all parties shall be permitted to appear		
6	telephonically. The last day to file a Rule 26(f) Report, complete initial disclosures or state		
7	objections, and file the Case Management Statement per the Standing Order for all Judges of the		
8	Northern District of California for Contents of Joint Case Management Statement of the Northern		
9	District of California shall be March 16, 2020.		
10			
11	Dated: February 13, 2020		
12			
13	Tollyn		
14	Hon. Edward J. Davila		
15	United States District Judge		
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10				
11	Attorneys for Plaintiff BRUCE THOMAS VEST III			
12				
13	UNITED STATES DISTRICT COURT			
14	NORTHERN DISTRICT OF CALIFORNIA			
15	NORTHERIVE	of of Chair Onthi		
16				
17	BRUCE THOMAS VEST III, an individual,	Case No.: C19-7446-EJD		
18	Plaintiff,			
19	v.	DECLARATION OF		
20	SYMMETRIC LABS, INC., a Delaware	NANCY L. MCCULLOUGH		
21	corporation, and ALEXANDER GREEN, an individual.			
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23	Defendants.			
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	DECLARATION BY DIAINTIFFIC COUNCEL MANCY I MCCULL CHOLLYCON			

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I, Nancy L. McCullough, declare as follows:

- 1. I am an attorney licensed to practice law in the State of California and admitted to practice in the Northern District of California. I am one of the two lawyers representing Plaintiff Bruce Thomas Vest III as counsel of record in this Action. Except as to matters stated upon information and belief, I have personal knowledge of the facts set forth herein, and could and would testify competently to them, if called as a witness.
- 2. Upon information and belief, Defendant Alexander Green, who is an in pro se Defendant in this Action, is presently incarcerated in a federal correctional facility known as FCI Sheridan, located in Sheridan, Oregon.
- 3. I am further informed and believe that United States Bureau of Prisons regulations, and other applicable rules, place certain constraints upon Mr. Green's ability to receive or respond to electronic and regular mail, and otherwise to conduct business affairs relating to Defendant Symmetric Labs, Inc. (the "Company"). Prior to his incarceration, Mr. Green had been the Company's President, and otherwise served as the Company's senior responsible officer.
- 4. During conversations and correspondence exchanges that I have had recently with a representative of Mr. Green (which representative is not counsel admitted to practice in the State of California, but who has represented to me that they are in contact with Mr. Green and have been authorized by him to speak with me on his behalf about this Action), I am informed and believe that Mr. Green is agreeable to Plaintiff Vest's seeking a continuance of the Initial Case Management Conference in this Action, presently set for Thursday, March 5, 2020 at 10:00 a.m. before the Court, for a period of at least two (2) weeks (e.g., until **Thursday, March 19, 2020**), or a later date that is more convenient for the Court, and continuance of all related deadline dates.
- 5. Mr. Green's representative and I have recently been made aware of facts and circumstances suggesting that certain of the Company's management team members and other key personnel, in whom Mr. Green entrusted and empowered with responsibility for the Company due to his incarceration in early 2019, have formed a successor entity to the Company for the purpose of a continuation of the Company's business under a different corporate name and entity.

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1	6. I am informed and believe that such successor organization was formed in an effort to		
2	distance the Company management team members who founded it from this Action and other		
3	legal action(s) pending against the Company, while continuing to carry on the Company's		
4	business, including (as an example) by providing maintenance contract fulfillment services to		
5	clients of the Company's core lighting installation projects that would otherwise be provided by		
6	the Company.		
7	7. The requested continuance of the Initial Case Management Conference for a		
8	a minimum of two (2) weeks would enable sufficient time to further investigate and evaluate the		
9	aforesaid new circumstances relating to the Company's prior management team members and their		
10	successor organization. It would further allow Mr. Green an opportunity to consider options for		
11	obtaining legal representation for the Company, and allow my client, Plaintiff Vest, an opportunity		
12	to evaluate whether to amend the Complaint in this Action to include additional parties and		
13	claims.		
14			
15	I declare under penalty of perjury that the foregoing is true and correct. Executed this 12th		
16	day of February, 2020, in Los Angeles, California.		
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18	M. 2 M/Mayal		
19	Nancy L. McCullough		
20	Attorney for Plaintiff Bruce Thomas Vest		
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